

Attorney Docket No.: 09001.1001

**REMARKS**

The Office has rejected the following claims under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,732,216 to Logan et al.:

1-12, 17-20, 22, 23, 28-33, 35, 36, 42, 46-57, 58-78, 80-82, 84, 85, and 87-98.

The Office has rejected the following claims under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,732,216 to Logan et al. in view of well known art:

13-16, 21, 24-27, 34, 39-41, 43-45, 79, 83 and 86.

The Office has rejected the following claims under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,732,216 to Logan et al. in view of U.S. Patent No. 6,601,040 to Kolls et al. :

37, 38, 75 and 76.

The Office has rejected the following claims under 35 USC 112 second paragraph as being indefinite:

3, 8, 11-19.

The Applicants have amended the claims as follows:

Independent claim 1 has been amended, along with claims 3, 4, 6, 8, 10 and 24 that depend either directly or indirectly from claim 1. Claims 9, 12-19, 21-23, 26-27, 29-30 and 35-41 have been canceled without prejudice.

Independent claim 42 has been amended, along with claims 44, 53 and 54 that depend either directly or indirectly from claim 42. Claim 43 has been canceled without prejudice.

Independent claim 58 has been amended. Claims 59-79 have been canceled without prejudice.

Independent claim 80 has been amended. Claims 81-88 have been canceled without prejudice.

Independent claim 89 has been amended, along with claim 90 that depends directly from claim 89.

Independent claim 94 has been amended, along with claim 96 that depends directly from claim 94. Claim 95 has been canceled without prejudice.

The Office has alleged that the claims as submitted were not allowable for the above-listed reasons. The applicant's have amended each of the pending independent claims to

Attorney Docket No.: 09001.1001

include the limitation that the information content includes content segments and that the content segments include sub-segments. Further, in independent claims 58 and 80, the further limitation was included that the response information could be tied to a sub-section of the content. These elements are not found in the art that has been cited by the Office. Thus, the applicant submits that these independent claims, as well as the claims depending there from are in condition for allowance.

In conjunction with the rejection of claim 26 and other claims, the Office has alleged that Logan discloses the element of the processing unit in the playback device being operative to convert the information content into one or more content segments. However, the applicant submits that Logan simply discloses the converting compressed audio recordings into audio form. This is not the same as converting content into segments as described and claimed in the present invention. The basis of the rejection is moot in view of the present amendments; however, the applicant wanted to ensure that the distinction was made as a part of the record.


The applicants submit that the claims as amended are directed towards subject matter that is not disclosed in the cited references and that would not have been obvious in view of the cited references. Thus, the applicants respectfully request the Office to move this case towards allowance.

If there are any questions or if an examiner's amendment is appropriate, the applicant's request the Office to call the applicant's attorney at the following numbers:

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Respectfully submitted,

  
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